

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

YEHUDA HERSKOVIC,

Plaintiff,

-against-

VERIZON WIRELESS,

Defendant.

Case No.: 1:19-cv-03372

**DEFENDANT CELLCO
PARTNERSHIP D/B/A
VERIZON WIRELESS'S
STATUS UPDATE RE
AAA ARBITRATION**

Case Removed: June 6, 2019
Compelled to Arb.: March 6, 2020

Defendant Cellco Partnership d/b/a Verizon Wireless, *incorrectly sued as “Verizon Wireless”* (“Defendant”) submits this status update in response to Plaintiff Yehuda Herskovic’s “letter” to the Court dated July 27, 2021.

The portion of the Verizon Wireless arbitration agreement that Plaintiff quotes in his letter applies in situations where the customer has attempted to resolve an issue with Defendant *informally* through Defendant’s internal mediation process, not where, as here, the customer has attempted to litigate the dispute and avoid arbitration. However, in an effort to facilitate arbitration, Defendant will pay the \$200.00 American Arbitration Association (“AAA”) initiation fee after Plaintiff submits the dispute to the AAA. Plaintiff has not yet done so, and Defendant believes that Plaintiff has filed this “letter” in a further attempt to avoid arbitration.

Dated: New York, New York
August 11, 2021

Respectfully submitted,

Howard A. Fried

Howard A. Fried (HF2114)
McGIVNEY, KLUGER, CLARK &
INTOCCIA, P.C.

Attorneys for Defendant

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TO – *via ECF*

Yehuda Herskovic
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